EXHIBIT L

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1	UNITED STATES DISTRICT COURT
2	NORTHERN DISTRICT OF CALIFORNIA
3	OAKLAND DIVISION
4	
5	EPIC GAMES, INC.,
6	Plaintiff,
	Counter-defendant,
7	
	vs. Case No. 4:20-cv-05640
8	YGR
	APPLE INC.,
9	
	Defendant,
10	Counterclaimant.
11	
12	IN RE APPLE IPHONE Case No. 4:11-cv-06714
	ANTITRUST LITIGATION YGR
13	
	(caption cont'd)
14	
15	
16	**HIGHLY CONFIDENTIAL**
17	ZOOM DEPOSITION OF DAVID S. EVANS, Ph.D.
18	(Reported Remotely via Video & Web Videoconference)
19	Marblehead, Massachusetts (Deponent's location)
20	Thursday, April 1, 2021
21	Volume II
22	
23	
24	
25	
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1	DONALD R. CAMERON, et al.,
2	Plaintiffs,
3	vs. Case No. 4:19-cv-03074 YGR
4	APPLE INC.,
5	Defendant.
6	
7	
8	
9	
10	**HIGHLY CONFIDENTIAL**
11	ZOOM DEPOSITION OF DAVID S. EVANS, Ph.D.
12	(Reported Remotely via Video & Web Videoconference)
13	Marblehead, Massachusetts (Deponent's location)
14	Thursday, April 1, 2021
15	Volume II
16	
17	
18	
19	
20	
	STENOGRAPHICALLY REPORTED BY:
21	REBECCA L. ROMANO, RPR, CSR, CCR
	California CSR No. 12546
22	Nevada CCR No. 827
	Oregon CSR No. 20-0466
23	Washington CCR No. 3491
24	JOB NO. 4522262
25	PAGES 285 - 557
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1	UNITED STATES DISTRICT COURT
2	NORTHERN DISTRICT OF CALIFORNIA
3	OAKLAND DIVISION
4	
5	EPIC GAMES, INC.,
6	Plaintiff,
	Counter-defendant,
7	
	vs. Case No. 4:20-cv-05640
8	YGR
	APPLE INC.,
9	
	Defendant,
10	Counterclaimant.
11	
12	IN RE APPLE IPHONE Case No. 4:11-cv-06714
	ANTITRUST LITIGATION YGR
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25	(caption cont'd)
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1	DONALD R. CAMERON, et al.,		
2	Plaintiffs,		
3	vs. Case No. 4:19-cv-03074		
	YGR		
4	APPLE INC.,		
5	Defendant.		
6			
7			
8			
9			
10	ZOOM DEPOSITION OF DAVID S. EVANS, Ph.D.,		
11	taken on behalf of the Defendant/Counterclaimant,		
12	with the deponent located in Marblehead,		
13	Massachusetts, commencing at 9:07 a.m., Thursday,		
14	April 1, 2021, remotely reported via video & web		
15	videoconference before REBECCA L. ROMANO, a		
16	Registered Professional Reporter, Certified		
17	Shorthand Reporter, Certified Court Reporter.		
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1	APPEARANCES OF COUNSEL
2	(All parties appearing via web videoconference)
3	
4	For the Plaintiff/Counter-Defendant - Epic Games,
5	Inc.:
6	CRAVATH, SWAINE & MOORE LLP
7	BY: PETER T. BARBUR
8	BY: MICHAEL C. GRANT
9	BY: JILL E. GREENFIELD
10	BY: DANIEL L. OTTAUNICK
11	Attorneys at Law
12	825 Eighth Avenue
13	New York, New York 10019
14	(212) 474-1000
15	pbarbur@cravath.com
16	mgrant@cravath.com
17	jgreenfield@cravath.com
18	dottaunick@cravath.com
19	
20	
21	
22	
23	
24	
25	////
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1
                APPEARANCES OF COUNSEL (cont'd)
     (All parties appearing via web videoconference)
2
3
    For the Interim Class Counsel for the Developer
4
    Plaintiffs:
          HAGENS BERMAN SOBOL SHAPIRO LLP
6
7
          BY: BEN HARRINGTON
8
          Attorney at Law
9
          715 Hearst Avenue
          Suite 202
10
11
          Berkeley, California 94710
          (510) 725-3000
12
13
          benh@hbsslaw.com
14
15
    For the Defendant/Counterclaimant - Apple Inc.:
16
          GIBSON, DUNN & CRUTCHER LLP
17
          BY:
               DANIEL G. SWANSON
18
          BY: JASON LO
19
          Attorney at Law
          333 South Grand Avenue
20
21
          Los Angeles, California 90071-3197
          (213) 229-7430
22
23
          dswanson@gibsondunn.com
24
          jo@gibsondunn.com
    /////
25
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1
                APPEARANCES OF COUNSEL (cont'd)
     (All parties appearing via web videoconference)
2
3
     For the Defendant/Counterclaimant - Apple Inc.:
4
          GIBSON, DUNN & CRUTCHER LLP
6
               JULIAN WOLFE KLEINBRODT
          BY:
          BY:
               WARREN LEOGERING
8
          Attorneys at Law
9
          555 Mission Street
          Suite 3000
10
11
          San Francisco, California 94105-0921
12
          (415) 393-8382
13
          jkleinbrodt@gibsondunn.com
          wloegering@gibsondunn.com
14
15
                 and
               HARRY R. S. PHILLIPS
16
          BY:
17
          Attorney at Law
18
          1050 Connecticut Avenue, N.W.
          Washington, DC 20036-5306
19
          (202) 887 - 3706
20
21
          hphillips2@gibsondunn.com
22
23
24
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25
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```
1
                 APPEARANCES OF COUNSEL (cont'd)
 2
     (All parties appearing via web videoconference)
 3
     For the Defendant/Counterclaimant - Apple Inc.:
 4
          PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
 5
              WILLIAM A. ISAACSON
 6
          BY:
 7
          Attorney at Law
          2001 K Street, NW
 8
          Washington, DC 20006-1047
 9
          (202) 223-7308
10
11
          wisaacson@paulweiss.com
12
13
14
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1		
2		APPEARANCES OF COUNSEL(cont'd)
3	(All r	parties appearing via web videoconference)
4		
5	ALSO E	PRESENT:
6	I	Deborah Alvino, Videographer
7	ŀ	Howard H. Chang, Global Economics Group
8	N	Nicholas Giancarlo, Global Economics Group
9	I	Daniel Grbich, Concierge Technician
10	7	Vandy M. Howell, Cornerstone Research
11	٤	Steven Joyce, Global Economics Group
12	N	Noreen Krall, Vice President, Chief Compliance
13	Office	er
14	٤	Scott B. Murray, Director, Commercial
15	Litiga	ation at Apple
16	ت	Jim Ratliff, Compass Lexecon
17	F	R. Craig Romaine, Charles River Associates
18	٤	Samuel Weglein, Analysis Group
19	ř	Kristof Zetenyi, Analysis Group
20		
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5		BY MR. SWANSON	296
6			
7			
8		EXHIBITS	
9	NUMBER		PAGE
10		DESCRIPTION	
11	Exhibit 608	Apple Inc. Line of Business	407
12		Report-iPhone, Bates	
13		APL_APPSTORE_08856866.xlsx;	
14			
15	Exhibit 609	Errata to Evans Opening	530
16		Report and Rebuttal Report	
17		March 27, 2021.	
18			
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1	legal video specialist and notary. The	09:08:10
2	court reporter is Rebecca Romano, with	
3	Veritext Legal Solutions.	
4	I am not related to any party in this	
5	action, nor am I financially interested in the	09:08:20
6	outcome.	
7	The witness was previously sworn. We may	
8	proceed.	
9		
10	DAVID S. EVANS, Ph.D.,	09:08:27
11	having been previously administered an oath, was	
12	examined and testified as follows:	
13		
14	EXAMINATION(resumed)	
15	BY MR. SWANSON:	09:08:27
16	Q. Good morning, Dr. Evans.	
17	A. Good morning, Mr. Swanson.	
18	Q. As the court reporter [sic] just noted,	
19	you are still under oath.	
20	You understand that?	09:08:38
21	A. I do.	
22	Q. All right. I would like you to turn, if	
23	you would, to paragraph 327 of your rebuttal	
24	report, which is Exhibit 607.	
25	A. Paragraph 327 on page 147; is that	09:09:11
		Page 296

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1	interpretation and all sorts of things, but I	05:14:29
2	haven't seen any indication that his results or my	
3	results are are affected by by these these	
4	data-related issues.	
5	Q. Are you aware	05:14:46
6	A. I I don't I don't want to suggest	
7	that there that the data are perfect because	
8	they're they're not. There there are some	
9	discrepancies here and there, but I mean, that's	
10	also not that's also not a surprising thing	05:14:58
11	with with with these kind of data.	
12	Q. Are are you aware that Epic twice	
13	reproduced the backup for certain analysis in your	
14	rebuttal rebuttal report?	
15	A. I don't recall.	05:15:16
16	Q. You have no understanding of why that was	
17	done?	
18	A. Not as I sit here today. I'm sure at	
19	some point I did, but I I don't now.	
20	Q. You don't recall that certain errors in	05:15:28
21	the code for regression analyses that you undertook	
22	in your rebuttal report needed to be corrected	
23	leading to a need to reproduce?	
24	A. Yeah. I don't know if there are any	
25	errors as opposed to incomplete explanations or	05:15:48
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1	ambiguity in explanation, but I I believe	05:15:51
2	that my team and Apple's teams have have sorted	
3	these things out. And if they haven't, you know,	
4	we're as is typical in these kind of cases, you	
5	know, we're we're available to to help the	05:16:04
6	consulting economist on the other side understand	
7	things and and, you know, make sure they	
8	understand what we've what we've done. So if	
9	there's any incompleteness there, the normal	
10	process is to try to to work that out. That's	05:16:19
11	what typically happens in in these kind of	
12	cases.	
13	Q. And and typically, you don't tell the	
14	other side about errors a day before the reports	
15	are due?	05:16:29
16	A. Well, if you if you if you find	
17	errors the day the report is due, you do. And	
18	and typically, we we don't work on matters of	
19	this magnitude with such a short space of time	
20	between things being being done.	05:16:53
21	So so I think as we all know in this	
22	case, this is a this is a this is a different	
23	antitrust case than many of us have been involved	
24	in, in terms of the schedule.	
25	Q. Dr Dr. Evans, is the iOS app	05:17:12
		Page 541

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1	I, Rebecca L. Romano, a Registered	
2	Professional Reporter, Certified Shorthand	
3	Reporter, Certified Court Reporter, do hereby	
4	certify:	
5	That the foregoing proceedings were taken	
6	before me remotely at the time and place herein set	
7	forth; that any deponents in the foregoing	
8	proceedings, prior to testifying, were administered	
9	an oath; that a record of the proceedings was made	
10	by me using machine shorthand which was thereafter	
11	transcribed under my direction; that the foregoing	
12	transcript is true record of the testimony given.	
13	Further, that if the foregoing pertains to the	
14	original transcript of a deposition in a Federal	
15	Case, before completion of the proceedings, review	
16	of the transcript [] was [X] was not requested.	
17	I further certify I am neither financially	
18	interested in the action nor a relative or employee	
19	of any attorney or any party to this action.	
20	IN WITNESS WHEREOF, I have this date	
21	subscribed my name.	
	Dated: April 2, 2021	
22		
23	Pot. Cl	
24	regers formano	
	Rebecca L. Romano, RPR, CCR	
25	CSR. No 12546	
	Dago 557	
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